

Interview with Ambler H. Moss Jr.

The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project

AMBASSADOR AMBLER H. MOSS, JR.

Interviewed by: Donald Barnes

Initial interview date: December 13, 1988

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[Note: This interview has not been edited by Ambassador Moss.]

Q: First of all, I would like to thank you for agreeing to this interview and talking about your career, particularly your Ambassadorship and I'd like to ask you first of all, how did you get to become an Ambassador?

MOSS: Well, I guess my case was a little bit unusual and I wasn't quite a career Ambassador and wasn't quite a run-of-the-mill political appointee. I'd been in the Foreign Service as a career from 1964-1971, had served in Spain, on the Spanish Desk and at the U.S. Mission of the OAS. And, in that latter capacity, had worked for [Ambassador Ellsworth] Bunker and [Ambassador Sol M.] Linowitz. I left in 1971, went into law practice in Europe, then came back in as a political appointee in the beginning of the Carter Administration in February of 1977. Invited by Linowitz and Bunker, who were the co-negotiators for the Panama Canal Treaty to join the negotiating team. I think we all felt, Linowitz and I both felt, that it would be a six-month temporary assignment away from the practice of the law. After which I would return to it. It didn't end up that way. It ended up about five years. So, one thing led to another when the treaties were signed and sealed. Basically, the Carter Administration realized it had a much worse Congressional problem

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in the Senate than it ever anticipated getting the treaties through. So, I then stayed on. Linowitz actually went back to Coudert Brothers [law firm]. I stayed on and moved into H (Congressional Relations), got a fancy title. I was made a Deputy Assistant Secretary but really with only one portfolio and that was to work on the ratification of the Canal Treaties. When that process was completed in April of 1979, I guess the logical thing seemed to be to be sent down there to see if they would actually work. There was a lot of preparation to be done because one of the stipulations of the treaties, the [Senator Edward] Brooke [R-Mass.] Reservation actually, was that there would be a time delay before the treaties actually came into effect, until October 1, 1979.

Q: That's the Congressman from Texas, right?

MOSS: No. This was senator from Massachusetts then and he introduced that particular amendment which we thought at the time was a bit of a nuisance, but actually turned out to be providential because there were close to a couple of hundred little nitty gritty side agreements that had to be concluded. Things like even down to the fine detail of the lettering on the rubber stamp for the duty-free entry of U.S. good for the U.S. forces. Things like that that had to be negotiated and had to be put in place before the treaties entered force. And more importantly, of course, the implementing legislation because the Panama Canal Treaties were not self-implementing, self-executing, but we needed domestic legislation which, as we'll get into a bit later, proved exceedingly hard to get. We only got rather a bad piece of legislation three days before the treaties took effect in October of 1979. So, I think those are the reasons why I was sent down there and for the same sort of political and technocratic type of reasons, why I specifically held over in the Reagan Administration. There is a political explanation for everything and I think the real political explanation for that one is that the Republican senators that had supported the treaty didn't want any sudden abrupt changes, let's say, in Panama and seemed to them a good idea for me to stay on in Panama and that's what happened. So, I was there for a total of four years.

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Q: Going back to the vote on the Senate, as I recall it was very close.

MOSS: Very close. Remember there were two treaties. There was a Neutrality Treaty and the Panama Canal Treaty. The Neutrality Treaty was voted on first. What's interesting is that in the case of both treaties taken together, the Senate occupied more of its time discussing those treaties than it had over any other treaty since the Versailles Treaty after World War I. In fact, really it occupied just about 25% of its entire legislative year when you consider that from the opening of the session until close to the end of April, the only business it did was to consider the Panama Canal treaties. The Neutrality Treaty was voted on in March and that passed by one vote more than the necessary two-thirds, and the Panama Canal Treaty also passed by more than one vote in April. So, it was extremely close. Frankly, I think of the Neutrality Treaty, there was the majority leader Senator [Robert] Byrd [D-WV] had a couple of spare votes in his pocket if he really needed to use them, including Jennings Randolph from West Virginia, he had a couple of these votes in his pocket. But, it's quite obvious that nobody wanted to be on record as having supported the Panama Canal Treaties if you didn't really have to. So, no votes were wasted in that sense. I think the passage by one vote was deliberate. Those who had to stand up and be statesmen did so, but nobody did it because they thought it was a great idea to have to do because it was politically damaging. The second treaty, Panama Canal Treaty, we think there were actually no spare votes. And, that was such a tight call right down to the wire that the White House didn't even plan any victory party—didn't dare—I guess out of superstition or whatever, until the votes were all in. The last day on the voting of that Panama Canal Treaty was, I can remember, absolutely horrendous.

Q: The two Panamanian negotiators, as I recall, were both very interesting men. One went on to become President for a while until he was removed and the other has become a very outspoken critic of the United States in all kinds of forums. Can you tell us a bit about them?

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MOSS: Yes, the one who went on to become President was Aristides Royo, who was a bright young lawyer, had been [General Omar] Torrijos' Minister of Education. Torrijos set in motion, after the treaties came into effect, actually a gradual return to democracy, by which in 1978 he, in fact, stepped down as head of state, remained as head of National Guard, which of course really controlled the Panamanian political scenes. But, the President and Vice President in 1978 were to be appointed by the Legislative Assembly and those were Aristides Royo and Ricardo de la Espriella, the hand-picked candidates of General Torrijos. The plan after that is that they would stay in for six years and in 1984 there would be direct popular elections for President. In the meantime, Torrijos kept the three promises that he had made to visiting U.S. senators that after the treaties were ratified and instruments had been exchanged, that he would allow the return of all political exiles, that he would allow freedom of expression to start up again and the opposition newspaper La Prince Adid—very loud and strident opposition—and that he would allow the reestablishment of political parties as all part of this re-democratization process. So, that was Royo. He was the first of the Presidents under that new scheme. The Presidents were switched, we'll come to that. The other was Romulo Escobar Betancur, very very interesting Panamanian. He was a black Panamanian and had been Rector of the university ideologue. Thought to be a former communist. Represented the left wing of the poorly and loosely organized official political party, the PRD, and interestingly enough subsequently this past year has been displaced as head of the PRD by a crony of [General Jose Manuel] Noriega, because Romulo Escobar Betancur may be a leftist and he may be anti-U.S. on occasion but he's an independent man. He's his own person. Now, I'll tell you an interesting story about him through. Anti-U.S. and ideologue he may be, but he's highly pragmatic. I recall that in the passage of the Neutrality Treaty in March of 1978, one of the things that almost scuttled the treaty was the so-called [Senator Dennis] DeConcini [D-Ariz.] Reservation. Terribly reminiscent in language, and certainly in intent, of the Platt Amendment in the Cuban constitution, which was abolished by Franklin Roosevelt, looked really like a re-enactment of the Platt Amendment in our time with respect to Panama because it gave the United States almost unlimited right to intervene in Panama for

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whatever reason to keep the Canal open. On the day of the voting of the Neutrality Treaty, DeConcini, in explaining his reservation, even made it was than the very language of the reservation. Saying, for instance, that if there were labor difficulties or strikes or anything that impeded the flow of traffic from the Panama Canal that the United States would have the right to come back in and keep the Canal open. Torrijos and his negotiating team had specifically let us know, and this is in [Ambassador to Panama William] Bill Jorden's Book "Panama Odyssey", that that reservation was just plain out. That he wouldn't accept it. That he could live with the whole package of rather obnoxious sounding understandings and reservations and amendments to the Treaty which all the senators thought they needed to be able to explain their vote to their constituents, but that one was out. No DeConcini reservation. Yet, several days before the vote, DeConcini met with President Carter and President Carter told him he could have it. So, frankly we thought, some of us thought, Bill Jorden and I thought, that the whole thing was over. The deal was finished.

Q: Bill Jorden was an Ambassador then?

MOSS: He was then Ambassador to Panama and the week of that vote I was down there with him trying to hold hands with the Panamanians and explain what was happening in the Senate. When we heard that President Carter had accepted the DeConcini Reservation, we also heard the Torrijos had made a date with the country's two television channels to go on the air that afternoon and denounce the whole thing and call the deal off. Astounding, when the treaty was voted on with the DeConcini reservation, out on television came Romulo Escobar Betancur, not Torrijos, explains to the Panamanian public what had happened during the day, that the treaty had passed by one vote, that there was another treaty yet to be voted on and that there were a bunch of additions made by the Senate which he termed "potable" ["potable" (acceptable)]. Which earned him the epithet of 'el plomero' ["the plumber"] because he could make anything "potable". But, the story goes that during the day Romulo and Rory Gonzalez and some other Torrijos' cronies had almost literally wrestled him to the ground and told him for heavens sake, get practical. There is another treaty we can hook a non-interference, non-intervention

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clause on that one and let's ride this thing through. Let's not call all this off on account of the DeConcini Reservation, which is an imminently pragmatic and very non-ideological approach. I think Romulo deserves credit for having saved the treaties, because Torrijos I think was really of a mind that he had basically had enough.

Q: When President Carter went down to Panama to sign the treaties in a formal ceremony along with a number of other Latin American presidents, Torrijos was very late to the ceremony and they were all standing out in the warm Panamanian sun?

MOSS: That was the OAS. There were two different events. The actual signing of the treaty was in Washington at the OAS headquarters on September 7, 1977. That's when all the Latin American heads of state were convoked and Torrijos came, that sort of thing. But you're referring, I think, to the Exchange of Instruments in June of 1978. I did hear that story. I wasn't there actually because my wife was about to give birth at that point. If I went to Panama instead I could get into terrible political trouble from which I might never recover.

Q: From what you know Torrijos, is the story that was bruited about was true that he stopped for to knock back a couple of quick ones and kept everybody waiting, because they were waiting for a long time in the sun.

MOSS: Yes, they were. It's possible. Although I think it's Torrijos' habits. He had his own pace of doing things and would not necessarily just show up on time just because it happened to be the appointed hour.

Q: Alright. You were Ambassador of Panama, and I'm trying to think back, it's rare to find an Ambassadorship in which such a big change took place in our relationship with a country, as with the entering into effect of these treaties. Can you tell us a bit about the impact of this, because it was a whole new dimension to our relationship?

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MOSS: It really was and there were a lot of things to contend with. First of all, the fear of the Americans that worked in the Panama Canal Zone, that when their Zone disappeared I don't know what they thought was going to come across the old boundaries, but they were scared and they were worried about it and they were unhappy. The U.S. military wondered how relationships were going to be getting back and forth to their bases and what again would be Panamanian territory. Actually, everything worked out beautifully well. The most immediate noticeable impact of the treaties coming into force, I think, was just the total disappearance of any anti-Americanism in Panama at all. So much so that the U.S. business community, which didn't have its own Chamber of Commerce, I think only Panama and Paraguay in all of Latin America didn't have an American Chamber of Commerce there, formed one. In October of 1979, they held their first inaugural meeting. President Royo came down to dedicate it and he said that this chamber would be not only good for American business but also for Panama. So, there was an air of good feeling that set in immediately and a disappearance of this old anti-Americanism, students on the streets painting walls. All that sort of thing just vanished. We just became part of the scenery. I can remember once shortly after the treaties came into effect hearing down the Avenida Balboa a screaming mob—not that much of a mob—several hundred people carrying banners and waving sticks and that kind of thing and they looked like they were headed for the Embassy. So, I kept looking out the window, but they walked right on past. They were walking down to the Ministry of Labor to protest something or other and nobody even noticed that they were passing the American Embassy. That was the difference. The immediate impact for the Zonians was interesting. First of all, I think that on the day the treaty entered force every one of them stayed in their homes, probably with their shutters down wondering what this thing meant. But, the first impact actually was favorable for a curious reason—that the police patrols that went through their neighborhoods consisted, at the outset, of a combination, almost like a “Pareja de la Guardia Civil” [Spanish policemen, who always patrolled in pairs] in Spain in the old days of one U.S. and one Panamanian cop, because it took another year before the Canal Zone police force would phase out. And, that impact was actually favorable for the Zonians because Panamanian cops are

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tough and old-fashioned and if they see a young person, let's say walking through a neighborhood or looks like he doesn't belong there, he'll stop him and accost him and asking him what's he doing and if he doesn't have a good explanation he'll order him out and if he's talks back he'll bash him. And, it's been some time since American cops were allowed to do that and the Zonians rather liked that practice. So law and order in the mind of the Zonians had a certain upswing. The downside for the Zonians, of course, was the disappearance of the Canal Zone government and their initial list of complaints was not directed against Panamanians but rather against the Defense Department because the Canal Zone government had been a very paternalistic, flush with money sort of organization that did anything they wanted. Ran good schools, mowed their lawns, repaired their roofs, provided excellent commissary service, did everything and everything that that Canal Zone government had done for them was now to be done by the DOD applying their worldwide level of service which was not the same as the old Canal Zone government which was a unique institution. So, the complaints that one heard were almost all directed against that particular change rather than against anything having to do with Panama.

Q: Didn't the Canal Zone government have its own steamship or something at one point?

MOSS: That had phased out some years before because that was a very expensive operation.

Q: It's been ten years now, it seems hard to believe, since this whole thing was negotiated. Do you have any second thoughts?

MOSS: My second thoughts are thank heavens we did it, because if we have problems in Central American today, imagine what they would be like if that issue still were a bone of contention between the U.S. and Latin America. After all, that was the one thing that pitted all of Latin America against us. Remember the special session of the United Nations Security Council, everything like that. It would have been an absolute field-day for the

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left in Latin America to be able to point to an issue involving colonialism. I think, in my own mind, I'm quite sure the Canal wouldn't be working today if we hadn't gone into the Panama Canal Treaties. Remember that Central America too was fundamentally a different place in the middle 1970s from what it is today. In the Ford Administration, there were actually plans on the books to remove the U.S. Southern Command. To move it out. The only reason was that nothing at all was happening in Central America. It was literally a quiet backwater and it seemed a reasonable thing to move Southcom out by way of cutting the budget. It would be a good budget cutting measure. All of that sort of changed in 1979 with the revolution in El Salvador and the Sandinista uprising, all that kind of thing. But, certainly it was a different world then. Frankly, today it would be a much more complicated thing if in amongst all the other problems we have in Central America, the Canal issue were still alive.

Q: That's a very interesting and pertinent statement.

MOSS: I might add also that 1978 has been a year in which there has been a tremendous crisis in diplomatic relations in lots of other levels between the United States and Panama, yet the Canal has continued to function. I won't say as if nothing else were going on.

Q: You mean 1988.

MOSS: Sorry, 1988. Obviously, it's had its effect on the operation of the Canal but essentially the Canal operates efficiently and smoothly and puts through ships as well as ever, despite that bilateral tension between the United States and Panama. It almost exists off to the side of the rest of the action that's taking place.

Q: One hears criticism that the Canal is run down physically since the Panamanians have assumed so much of the burden of running it. Is that the case and does that affect its operation?

MOSS: I don't think so. Actually, so see the Panamanians don't really run the Canal. The U.S. Army does through the Panama Canal Commission and it's a straight DOD operation. So, if the Canal is running down at all, which I think is debatable, it's entirely the U.S.'s fault because the U.S. is the sole operator of the Panama Canal. Now what people see as rundown I think is more attributable to the lack of maintenance in what was the Canal Zone, because as I said before the Canal Zone is an example of how socialism really works if you've got enough money to pay for it. So, if you have a paternalistic government which out of the toll receipts is able to cut people's lawns, take care of their roofs, fix their houses, do anything they want done, all of that was done at tremendous expense, but it was nice. It looked beautiful and that's what has disappeared now because the Commission isn't doing those things for the inhabitants that it used to do. Panamanian employment has certainly increased in the Canal. It's now, I suppose, probably about 84-85% of the work force, but that's only up about 6-7% let's say, from what it was ten years ago. We would expect it to be increasing gradually toward the end of the century. The Canal has become more Panamanian in that now directors of divisions and people in much higher management positions have become Panamanian, which was also foreseen in the treaty. But, the actual control and expenditure of funds and the maintenance of the Canal is a direct U.S. responsibility.

Q: I see. Have there been any significant labor problems, politically oriented?

MOSS: Not politically oriented, no. I think the most significant labor problems, I think, occurred right at the beginning of the new relationship because of the law that the Congress passed which set up two different wage scales for old employees and for new employees and that, the Panamanians charged, was a violation of the treaty. Certainly, it was not good labor practice and after a number of years it was done away with by amendment to that legislation.

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Q: Going back a bit in time to the negotiations themselves, you worked with two certainly fascinating men. Each one very distinctive in his own style and characteristics, Ellsworth Bunker and Sol Linowitz. Can you tell us a bit about them and the way that they operated?

MOSS: Their styles, of course, were totally different but they worked wonderfully as a team. Ellsworth Bunker, you remember him well, was calm, cool, collected, the epitome of sort of a yankee patrician who, none the less, was open to talk to everybody on an equal basis. Was tirelessly patient, could out wait anybody, was never ruffled by anything that went on and could sit there day after day, painstakingly go over the details of the negotiations and basically outlast anybody on the other side of the table. I would love to have seen him against the Japanese. I think he would have been a match for anybody. Linowitz was the opposite. Linowitz was very impatient. Brilliant, fast-moving mind, dazzling, leaping around trying to find solutions for things, wanting to see things settled as quickly as possible, impatient if somebody got in his way. But, as I say, the combination was really a winning one. I think the reason why the negotiations moved so quickly probably was because in the opening round in the Carter Administration, first of all I think a fundamentally good decision was made by the Carter Administration and that is that there was be absolute continuity from everything that had gone before. The [Secretary of State Henry A.] Kissinger/[Panamanian Foreign Minister Juan] Tack agreements of 1973 would still be the basis of the negotiation. There would be perfect continuity of everything negotiated up until the time the Carter Administration, which really was most of the treaty. So, that put the Panamanians at ease that it wasn't a complete new ball game that they had to start from zero, but then the second reason why I think the treaties were wound up quickly was because of Linowitz' impatience. As you may remember, we were down on Contadora Island at the beginning of February of 1977. We were there for about two weeks with Panamanian delegations coming and going and we didn't quite know when they would arrive. They'd go back and consult with their leader and things dragged on, as far as Linowitz was concerned, interminably. And, at one point he muttered to me "I'm never going to come back to this place again" and then he moved in and proposed and

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everybody accepted that the conversation should shift to Washington. That was very good for two good reasons. First of all, the Panamanians couldn't run back and forth everyday to consult with their leader and take as much time as they liked, which they, in fact, appreciated we found out later. They didn't like being kept on such a short leash and they had much more freedom and authority to negotiate when they were away and second of all, the real bureaucratic mess was on the U.S. side because everything had to be cleared with everybody and that couldn't be done on Contadora Island. The Panamanians might be able to shift their position from one day to the next but there was only one guy they had to talk to, but that was not true with the U.S. having to go through incredible layers of bureaucracy all around the place to get one little change of position in a complicated negotiation. So, I think moving the talks to Washington had the effect of being able to get through the rest of the treaty negotiation in a reasonably short time, all things considered.

Q: Do you feel that the Ambassadors Bunker and Linowitz had sufficient leeway as far as Carter and [National Security Adviser Zbigniew] Brzezinski were concerned in the negotiations?

MOSS: I think they did, yes. I think they learned to get that leeway. Sometimes bending the rules a bit of who clears what with whom, simply because of that relationship with Carter and because of the knowledge that President Carter really wanted this treaty done. That he wanted it done quickly. He didn't want to waste any time with it. So, trading on that special relationship, I think they were able to get things done a lot more quickly than if the normal bureaucratic pace of things had had their way.

Q: And, was the Pentagon a big obstacle?

MOSS: The Pentagon was an obstacle in certain ways, but we had the great advantage of having General Welborn Dolvin on our team who really was able to work magic with the Pentagon and get around a lot of the obstacles because he knew what he was dealing with. He personally was committed to the treaties. And, also the Joint Chiefs of Staff were

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committed to the idea of the treaties and I think that overcame a lot of the obstacles. But, certainly that's where obstacles were likely to come from because when you get into complicated negotiations like, as we call it, the lands and waters, the delineation of what should be retained for use of the Canal and what should be given back to Panama, it's a well-known Pentagon habit that you don't give up an inch, even if you don't need it. So, that type of obstacle had to be overcome constantly.

Q: Some of the lands and waters, as I recall, involved some facilities that weren't totally military, such as golf courses and marinas and bowling alleys and things.

MOSS: Well, not only that but Panama's two major ports, Balboa and Cristobal, the initial Pentagon position was to make sure that the supplies got into the Canal we had to keep those ports. That was, of course, completely opposite to what the Panamanian agenda was. These were Panama's only two deep-water ports and Panama wanted them back. So, overcoming that one was a tough nut to crack. But you're right, the general rule was to hold on to everything you possibly can hold on to whether you needed it or not.

Q: Well, shifting a bit southward back to Panama, in addition to working with two fascinating men on this side, you worked with a fascinating man on the other side. Can you tell us a bit about Omar Torrijos?

MOSS: Torrijos was a truly amazing person. He was really almost sort of semi-literate, didn't write very well and preferred not to read, preferred to have oral reports. Even intelligence reports from the field were usually recorded onto a cassette from the telephone and typed back to him. He had though one of the sharpest, innate political instincts I've ever seen in anybody and a clear perception of who was who in the world and perception of what countries were like, what people were like, what leaders were like. Didn't always get it absolutely right. In the Sandinista uprising, for instance, he basically bet on the wrong Sandinistas because he thought [Comandante] Eden Pastora would come out on the top and that was the side that he dealt with. But he understood

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the course, the rhythm of that war, much better than Washington did. And, he saw with infinitely greater clarity that they knew more of that particular drama and [President Anastasio] Somoza's regime was falling apart much much greater than the United States ever realized and kept telling us so. Month after month, Washington wouldn't listen to him and Noriega's intelligence chief and other people that Torrijos had working for him were providing their sources of intelligence and Torrijos really knew what was going on. Now, part of why he knew what was going on in Nicaragua had to do with his own highly personalized method of organizing an intelligence network. A great power, or even a smaller one, will organize an intelligence network by recruiting like-minded people, training them and sending them off to report. Torrijos would basically take on reporters with very strong known biases because they could work best with their counterparts in a different country, but that they owed a loyalty to him so that he knew they would report back with all the biases. But, using sort of his own intellectual filtration, he knew that "el color de su cristal" ["the color of their lens" (their bias)] so that he would simply triangulate like a navigator and figure out what was going on. So, that he had people working directly with the Sandinistas, he had a military attach# at the same time in Managua. He was almost more Somozista than Somoza. Had been there 16 years, was a graduate of the military academy, married to a Nicaraguan and always reported favorable things about how Somoza was doing, but with enough information that Torrijos really knew what the true story was. And, various other people with known biases out in the field would report in daily to him by telephone. Sergeant Chu Chu Martinez would usually be sitting there in Caya (inaudible) with the cassette recorder, take down the messages and play them back. Sometimes Torrijos would call me in the middle of the night and he would always preface it "Ambler, que estas haciendo?" ["Ambler, what are you doing?"]. Are you busy. I said "Pues nada" ["Well, nothing"] "Ven pa' 'ca" ["Come on over"]. Then sometimes, my driver having been dismissed, I'd get into my little Subaru, go over to Caya (inaudible), he'd say "I want you to hear this tape" and he'd put something on, some report from the field or some fascinating bit of information. Then he'd sit down and start drinking and start talking and philosophizing about what was going on and how this was happening and that

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was happening. Fascinating. At one point at the beginning of the Sandinista rebellion, he said "You know, I need some maps. My maps of Nicaragua aren't any good. Can you get me some maps?" I said sure I can get you some maps. So, I went up to Southcom and I got some beautiful U.S. military maps of Nicaragua and gave them to him. A few days later I came down and he had a sort of a war room set up in Caya (inaudible), little pens and this and that all over the place, but it was absolutely clear that he had very precise data as to what was going on in Nicaragua. Sometimes from his own people. Sometimes directly from the Sandinistas themselves, at least the ones he was talking to, particularly Eden Pastora and Comandante Dora, with whom he had an interesting relationship. I remember once sometimes I'd go to see him in Caya (inaudible) when he was still recovering from a hangover and he'd actually be lying in bed drinking coffee and I'd sit on a chair or maybe sometimes on the end of his bed with my notebook taking notes. And, once to punctuate a point, he said "la semana pasada" ["last week"] "Aqui mismo en esta cama" ["Right here in this bed"]. He had a peculiar dislike of both Kissinger and Brzezinski and he told me once, how did he put it, he said "Ambler, yo no hablo ingles, pero yo se que este Brzezinski hable con fuerte acento, igual como Kissinger antes. Ustedes los gringos cometan un gran error" (that's the way he began a lot of our conversations) "poniendo a hombres como estos en cargoes importantes, porque estos dos pasan la mitad de su tiempo peleando las viejas guerras de la Europa central, porque ahi esta su corazon, y la otra mitad tratando de probar que son tan buenos gringos como si hubieran nacido en Chicago." ["Ambler, I don't speak English, but I know that this Brzezinski speaks with a heavy accent, as did Kissinger before him. You gringos make a big mistake naming men such as these to important positions, because these two spend half their time fighting the old wars of Central Europe, because that's where their heart is, and the other half trying to prove that they're as good a gringo as if they'd been born in Chicago."] I thought that was the best of any commentary. Then he went on to get philosophical and poetic, as he often did, lyrical. He said, "Ambler, hasta que tengas tus muertos en la tierra, tu realmente no perteneces a ese pais." ["Ambler, until you have your dead (buried) in the earth, you don't really belong to that country."] And so, that by way of saying that a National Security Advisor should be

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a gringo gringo “...varias generaciones de muertos en la tierra.” [”...several generations of dead in the earth.”d] This is the way he felt. This is the way he operated. He always thought in a very, very broad gauge perspective. Sort of detached from the rest of the world. Looking at it and analyzing its various components.

Q: There had been a time earlier when he was on a trip, I believe in Costa Rica, and there was an attempt to oust him which some people attributed to the United States.

MOSS: Yeah. I don't know, that was in the early 1970s. I think he was in Mexico at the time, had been to Costa Rica and Mexico, and right a plot of Colonels did proclaim that they had ousted him. Noriega, which is one of the reasons which endeared Jose Manuel Noriega to Torrijos, was the Commander of the military region in David, right on the Costa Rican border. He immediately wired up to Torrijos, “come in through David. I'll help you get back.” And, Torrijos did that. Old [President] Jimmy Lakas was with Torrijos at the time, various people. I think even [Foreign Minister] Fernando Eleta. I think they were in Fernando Eleta's plane, as I recall the story. This was way before my time so I may get some of the pieces wrong.

Q: Lakas was the figurehead president?

MOSS: He was the figurehead president for a long time because Torrijos basically detested anything that had to do with ceremony. He's a businessman in Colon of Greek background, Demetrio Basilio Lakas, was a close friend and crony of Torrijos. A great big huge guy, must have weighed 300 pounds or something. He was with Torrijos on this trip and he was always the, you say, figurehead president. Figurehead, yes, but he served a valuable function for Torrijos and that is he handled basically all the ceremonial functions of head of state which Torrijos never was willing to do. Torrijos was basically a shy person, hated the limelight, hated ceremony, hated having to deal with ambassadors and visiting delegations of this and that. Just plain didn't want to do it and wouldn't do it. He described himself once as a lazy dictator “dictador perezoso”. Just did not like to get involved in a lot

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of the details of government, so he'd leave that to Lakas and leave a lot of it to his civilian cabinet. He was not a hands-on dictator as we've known in a lot of times and places in Latin America. Didn't want to know a lot of the details. Only wanted to know about his special projects and he was well enough known that people knew the boundaries beyond which they better consult with the boss before they do it. So they came back and landed in David and started on sort of a long march southward and the opposition just vanished and took off and Torrijos was easily reinstalled. Since then, Noriega had a favored place with Torrijos, although during the whole time I knew them there was absolutely no question about who was in charge. Noriega was very subservient to Torrijos. Torrijos kept him in his place, didn't tell him everything. Kept Noriega for his own special purpose and he was very valuable. But, did not make Noriega a sort of second in command or an alter ego of Torrijos in any conceivable way.

Q: Was there any sort of a hangover from this incident as far as our relationship with Torrijos. I mean, did he refer to this?

MOSS: No, I never heard him refer to it. I think, I'm not sure what is known about any complicity of the U.S. in doing this. It wouldn't surprise me, but it certainly wasn't an issue by the time I got there.

Q: What did Torrijos think of Carter?

MOSS: Torrijos really admired Carter enormously. I think, frankly, he thought at times that he was cleverer than Carter, especially when it came to understanding Latin America and Latin Americans and if Carter were only a better pupil that Torrijos could be a very good "maestro de escuela" ["schoolteacher"]. But, he deeply admired, genuinely admired, Carter's personal qualities. Thought he was a genuinely good man, sympathized with him, just wanted to do everything he possibly could to help him. And, I think that's one of the two reasons why he so readily accepted the hospitality to the Shah of Iran when it

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was asked of him to take in the Shah. I think that anything he could ever do for Carter he wanted to do.

Q: And Noriega, what was your acquaintance with him?

MOSS: Noriega was a typical cop. Noriega, as far as I've been able to determine, is a man who has absolutely no known ideology, I don't know that he has one. And, nor does he have any messianic sense of power and his own destiny. He responds to very simple principles, money power, position, those kinds of things. Certainly when I was there, he characterized himself, I think, by trying to be as useful to as many gringo agents as he possibly could at the same time. I think it was very interesting in my briefings going around Washington before I went down as Ambassador, when I dropped by the DEA they told me in effect, forget Torrijos, Noriega really runs the country. But, the bottom line of what they seemed to be saying was, don't worry, he's one of ours. Everybody thought he was one of theirs. The FBI, the CIA, everybody in the Pentagon, everybody had a close relationship with Noriega, knowing at the same time that he dealt with Fidel Castro and that he dealt with everybody else. They knew perfect well these things but that didn't bother them because he was a valuable asset and what could he be telling to Fidel Castro anyway, because we didn't let him have any secrets. So, what could he be telling Fidel Castro. And, it seemed perfectly logical to all the U.S. Government agencies that a head of intelligence has got to deal with the whole world, especially in a country which purports or tries to put on the showing of being neutral even though its got such a heavy U.S. military presence in its territory. So, I think they sort of forgave him that. Nobody was under any great illusions about the moral or ethical character of Noriega, but regarded him as a useful asset. As I say, sometimes I wondered when the guy had a chance to have lunch. He might be with the CIA in the morning, with some visiting character from the Pentagon at lunch, with the DEA in the afternoon and he really did try to help all these agents.

Q: The Cubans in the evening.

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MOSS: The Cubans in the evening. Barbarroja would be coming to town so he'd be off wining and dining somebody or other. That's the way he was. He was a general factotum and a useful kind of guy. There was one incident in which a sinister side came through which very much irritated Senator Howard Baker. And, that was when Baker made a trip to Panama. This may have been in January of 1978 or, perhaps, even at the very end of 1977. There had been a briefing at military headquarters, Noriega had brought a map of the Canal Zone and showed how the treaties were a good thing because the Canal Zone was a really very vulnerable place and he pointed out some of the vulnerabilities and Senator Baker took this to be a threat and complained about it. I remember this was discussed with Torrijos and Torrijos said, he didn't mean that. Sort of bad boy. He didn't mean to threaten you, he just sounds that way sometimes. That kind of thing.

Q: But the Canal was vulnerable.

MOSS: Oh, certainly the Canal was vulnerable and is vulnerable. Because basically when you think of a canal which works on the basis of a gravity-fed system from a high point which was the lake in the middle of it, anything which you do which drains the lake or cuts off the water supply to the canal, put the canal out of action. And, if a hole were punctured anywhere along it, engineers tell me it would take three years of rainfall to fill that lake up again. So, it's something that's very, very easily put out of action. And, of course, one of the reasons why the Joint Chiefs of Staff were so enthusiastically in their support, is because they realized that first of all in any war today, you can write the Canal off at the first gunshot because one missile of practically any variety is going to knock the Canal out. It isn't like World War II where the idea was to defend it against Japanese saboteurs. That isn't the real problem. In wartime the Canal becomes useless. In peacetime, the best defense of the Canal is a friendly surrounding, friendly ambience in which the Canal has to operate and work and that was the whole rationale for the treaties, to engage the Panamanians own self-interest in protecting the Canal instead of potential hostility from a regime that we're not getting along with. And, of course, a product of that self-interest was

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financial. Not only, of course, in terms of the huge Panamanian workforce, but in terms of the \$75 million that the Panamanian government now gets out of the toll receipts as opposed to the \$2.6 million it got when the old regime was in effect which was simply a flat rate as opposed now to a payment which is geared largely upon the amount of traffic that flows through the Canal. So, they have a direct financial stake in the efficiency of the Canal. But, certainly it's vulnerable. Nobody has the slightest doubt but that it's vulnerable.

Q: If you were Ambassador in Panama now, what would you do to try to get us out of this mess that we're in with Noriega and the Panamanian government?

MOSS: I would certainly urge that what I consider a totally disastrous policy pursued during 1988 be reversed and that we find a face-saving exit for ourselves and Noriega. Let me just recite a few of the errors that I think have been committed during 1988. First the indictment of Noriega in February of 1988 by two federal courts in Florida. It didn't make any particular sense because why indict somebody that you can't get your hands on and that, in balance, you'd rather leave Panama and leave power rather than be locked in because of the web of extradition treaties we have around the world. It didn't make any sense and I'm not sure why the government did it. I can understand perfectly well why U.S. attorneys indict people, that's their career and that's what they get paid for and that's what they make their marks for. Particularly the two very enterprising U.S. attorneys here in Southern Florida that brought their respective indictments are very ambitious people and they are in the business of indicting people, so why not, whether they can bring them to justice or not. But, what I fail to understand completely is why the higher authorities in Washington said they'd let it go through without having really felt through very carefully the consequences. Then the aborted coup where [Eric] del Valle, who after all was a puppet President, he was the left over Vice President when General Noriega and some of his civilian cronies fired [President] Nicolas Ardito Barletta in September of 1985. Del Valle, who had been hauled onto the ticket in the first place by Noriega himself, was then installed as President and was stainless for being such a toti, such a puppet to Noriega. In late February of 1988, del Valle the puppet attempted to change

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his puppeteer by appearing on television in a recorded announcement and as President firing Noriega, thereby being fired in turn the same evening by the National Assembly then going running into the arms of the United States and hiding and being declared on March 2nd by a statement of the Acting Secretary of State still to be recognized as the true President of Panama and Juan Sosa in Washington as his true Ambassador. That opened the way for del Valle's lawyers to bring suit in federal courts blocking all of the banking funds of the Banco Nacional de Panama which included funds in transit from all the whole banking sector in Panama which is a proximate cause of the destruction of the banking sector. Now the banking sector was a very, very productive industry in Panama consisting of about 7,500 high-quality jobs, 120 banks, \$35 billion in deposits and by all reckoning it is gone now never to return—brilliant. Then in March the United States decided to suspend the monthly payments due to Panama and the Panama Canal Treaties. In my mind an absolutely horrible precedent, because when one starts to use the Canal Treaty as an instrument in a bilateral fight, then two eventually can play at that game. What if after the year 2000 the Panamanians don't like the sugar quota or something like this? I would say that the Canal should be “intocable” [“untouchable”] and it should run its business aside from anything else going on. And I also happen to think, although I think it can be argued by lawyers, that the withholding of the monthly payment to Panama is, in fact, a violation of the Panama Canal Treaty. Now, on the other side they will say it is not because it was at the request of del Valle and he is still the President. As time goes on, that quality of his being President is increasingly dubious. He has none of the attributes of being a functioning government. Then along came the International Economic Emergency Powers Act invoked in April which, in fact, told the 450 American companies in Panama that they must make no payment of any kind, direct or indirect, to the government of Panama. Now this gets down not only to income taxes and social security but even light, telephone bill, exit taxes, postage stamps, everything. It effected something which I think is a terrible, terrible precedent anywhere in Latin America. It used the American business community as an instrument of U.S. foreign policy and, incidentally, without its consent. People once dumped tea into some harbor or other for that type of

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thing. And, the American business community was naturally irate, outraged. They didn't want to be used as a blunt instrument to beat Panama with as a sacrificial lamb and they went to Washington in the middle of April and protested longly and loudly. And, according to what they told me, were met with a very stiff and cold reception. What's the matter with you guys? The Panamanian private sector is willing to accept sacrifice, why are you not ready to accept such sacrifice? An indecent and almost obscene kind of question to be putting to the American business community to begin with and, second of all, not a very rational one because it was only the American business community and not the Panamanian business community which was being forbidden to pay any taxes to the local government. So, the American business community suffered a terrible blow. Most of that Executive Order at this late date has not been rescinded except for some very important parts of it. They still, for instance, are not allowed to pay their corporate income taxes. And, I ask you, what happens to any company in any country, including this one, when a company simply says it isn't going to pay its corporate income taxes. It lives under a sort of Damocles, under sort of a tolerance which may eventually run out. It's a sad story and, of course, it hasn't worked. I think that what's happened is that Noriega has been given a longer tenure than he would ordinarily have had, had the United States sat back and done nothing. And the reason why I say that is the following: that as of the end of 1987, Panama was completely out of money. The government was broke and it could not borrow any more money from the international lending institutions because it was behind on a payment to them. It couldn't get any more money from the private banks and Panama per capita is one of the biggest debtor countries in the world. The Finance Minister told the committee of creditor banks in New York in January of 1988 that the country was in such bad shape that unless help came from somewhere they'd have to dismiss between 20,000 and 30,000 public sector employees. That, in my opinion, would have been the beginning of the end for the Noriega-backed government, because Panama uses the U.S. dollar and cannot resort to the Argentinean, Brazilian, Mexican or Cost Rican solution "la maquinita" ["the little machine", money printing press] because we own the maquinita and, therefore, it really would have had to dismiss large-scale numbers of public employees.

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And, since Noriega did not have very high-standing, very high popularity in Panama, couldn't blame the internal economic crisis on any outside power with any degree of credibility at all, I think would have fallen during 1988 had Washington just stayed home and shut up. That, of course, it didn't do and now Noriega is still power, I think more firmly entrenched than ever and the Panamanian economy has been absolutely wrecked, which I think is an extremely serious thing in terms of long-range U.S. interests in Panama and the type of Panama that we can be looking forward to in the year 2000 at this point, which far from being prosperous and stable, may be an absolute wreck unless something can be done. Well, what can be done? That will take another whole tape and a half and I hate to get through, but basically, going on what I've given you of some of the personal qualities of Noriega, I think Noriega is a person who is open in negotiation. He showed himself to be so, in fact, he's even entered into negotiations about his own departure, something which the usual dictator in Latin America is not willing to do. I think the United States has to rectify two fundamental errors which I haven't even mentioned yet, that is that in the course of its fight with Noriega, it virtually displaced Panama's own opposition. A poll taken in late July in Panama lists a confidence factor showing what is that institution in which you have the most confidence in the present crisis. Sixty percent was the Catholic church, 15% civic organizations, 5% the government, political parties 2%. And, what this tells you is that the opposition has been discredited. It's small, it's fragmented, it's not well organized and it was virtually displaced by the United States which became the chief opposition to Noriega in all of this. The other parties neglected and cast out into the margin, of course, are the Latin American countries. Venezuela, Costa Rica, even Spain which has offered to be helpful as mediators during part of this crisis which basically, although kind of on a superficial level, were invited by the United States Government to be helpful, those of us who have talked to the various leaders of those countries know that none of them believe that the United States was at all serious about that. Nor would the United States back them up in any way, shape or form in anything that they negotiated so that that invitation had absolutely no credibility. I think they need to be brought back in as principal actors and allowed to be helpful in some kind of a crisis. There is no doubt in my mind that a

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solution to the crisis will have to involve lifting the indictment from Noriega, but I think it can be traded for some valuable concessions and, for an opening, there is at least a proximate event on the horizon, the May 1989 elections and I think that's what U.S. policy ought to be aiming at. Trying, with the help of the Latin Americans and the Panamanian political opposition as protagonists with the United States, rather in sort of a back seat there, trying to make sure that those elections represent at least some kind of step toward democratization instead of away from it.

Q: I'd like to go back to your tenure as Ambassador which was interesting for a number of reasons, among which the overlap of two Administrations, I don't know of any other political appointee who....

MOSS: There was one very famous one, of course, Mike Mansfield.

Q: Oh, yes. He was appointed by Reagan though. He had not been Ambassador before.

MOSS: Yes, he had actually.

Q: Oh, he had?

MOSS: Yes, he was there under Carter as well.

Q: Oh, I wasn't aware of that. That's right, yeah. The first thing Reagan did. Well, you're in good company with Mike Mansfield. But, leaving aside the Canal which is leaving aside an awful lot, were there any other issues between the United States and Panama which you had to deal with as Ambassador?

MOSS: Well, there was that problem of relations with Cuban, as I mentioned, when Secretary of State Haig in his first couple of weeks in office I guess it was, maybe the end of his second week in office, sent a rather strongly worded message personally to Torrijos pointing out the close relationship which seemed to be visible in Washington between Panama and Cuba and how this was not appreciated and Torrijos gave him that kind of

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talk was for Puerto Rico but not for an independent country and that died down. But, I think one of the toughest issues was during the whole Sandinista uprising in Nicaragua the fact that Panama was one of the countries furnishing arms to the Sandinistas. Of course, they all were. Everybody from Mexico right around to Venezuela. But, in the Panamanian case, it was particularly difficult because we were trying to get implementing legislation passed on the Hill and, of course, Congressman Murphy who was Chairman of the Merchant Marine and Fisheries Committee, John Murphy, was an intimate buddy of Somoza and regarded as a very unfriendly act any help, of course, given to the Sandinistas. And, that was reflected in his attitude toward the implementing legislation, which was under his jurisdiction in the House. So, the White House was naturally very, very worried about the Panamanian participation, which was not as open and notorious as that of other countries, but still interfered mightily with the passage of the implementing legislation. And I was sent in probably 13 or 14 times to make the usual salute demarche about how helpful it would be if people would stop running guns around here. Torrijos would play the same theater right back swearing up and down that no guns were coming from Panama and, of course, I knew that he was lying and he knew that I knew he was lying but we had to go through this diplomatic procedure anyway to make sure the United States' position was absolutely clear and that we could say with a perfectly straight face to Congressman Murphy that we were insisting that the arms traffic stop. I would say that when the Reagan Administration came in, I left in August of 1982 and I left incidentally completely voluntarily in my own timing because I was coming up on four years in the job and I figured that that was probably about what I could expect to get away with and it's always better to make one's plans in life before somebody else makes them for you. But I would say that there were no real problems with Panama at that point. Under the Reagan Administration, cooperation over the Canal continued to function very smoothly, in fact, the new Department of the Army representative, William Gianelli, was very helpful in understanding the Panamanian complaints about the defects in the implementing legislation, particularly with regard to the dual-wage system and eventually worked to iron that one out. So, I think that relationship was exceedingly smooth. The military relationship was a good one. And, basically by

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the time I left there were no dark clouds on the horizon in so far as Central America was concerned involving the United States and Panama against each other.

Q: Much is written and said in Washington about the diversity of government agency representation in an American Embassy and allegedly how little the Ambassador has control over the other elements of the Embassy. Do you find that to be a problem?

MOSS: I didn't find the question of control to be a problem, but I found it to be a problem with the question of trying to control the size. I tried to conduct my own Operation Topsy in both Administrations by reducing the size of the Embassy and the people who came under the Ambassador's nominal jurisdiction. Now when you leave out the Panama Canal Commission and the U.S. military forces in Panama, there were no fewer than 400 people in that little country which fell under the Ambassador's direct supervision, including the FAA, the DEA. There were at least 13-14 government agencies that I can even mention on the record that were down there. Even the Bureau of Highways under the Department of Transportation which had an ongoing interest in the Darien Gap road. Just an unbelievable number of people and I tried both in the Carter and Reagan Administrations in the interest of budget cutting and reducing profile basically to send them home. I found that a lot of these agencies had been put down there in order to supervise other functioning agencies in the rest of the Latin American area. For instance, inspectors of the Marine Corps Security Guards were located in Panama. That made sense back in the days when Panagra [Panamerican Grace Airways] planes, prop different planes, used to sort of lumber their way down the hemisphere making various stops and even sometimes flying by daylight hours. But, it didn't make sense anyway, but I found that such people characteristically would go up and change planes in Miami to get back out to the place where they were inspecting. The General Accounting Office was there for the same reason. So beginning with some of these regional offices whose function was to inspect other posts in Latin America for which they'd have to change planes in Miami to get there, I argued wouldn't it save a lot of money and save a lot of problems if we'd just let them live in Miami. I didn't get anywhere in either Administration. Finally, the Reagan Administration

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I got that admission from the powers that be that what I was proposing would indeed save money. I couldn't get that far with the Carter Administration, but that the agencies had had these posts in the interests of management which meant that they had to have their perks. So that wasn't able to reduce a single person, except for the FAA. The FAA because of the treaty, one of the side treaties that was signed with Panama phased out and turned over the air controlling function to Panama. I think that was the only one. Other than that I never had any particular problem about not knowing what these people were up to or potentially being embarrassed by them. They were really very good about keeping me informed and I never had any conflict between what they wanted to do and what I felt they ought to do. So, I never really had to come to blows with any of them.

Q: Isn't that a size?

MOSS: Just a matter of sheer size and I think that when you have a country of only two million people and you have a U.S. Embassy of 400 people, including that was 200 Americans and 200 Panamanians not all Americans, that's rather large and I think much larger than it ought to be.

Q: I'm zigzagging here and I hope you'll forgive me for that, but you had two rather extended stints of your career involved in major negotiations which I think is beyond what the average Foreign Service Officer finds in his or her career. The Dominican Republic and how to extricate ourselves from there and the bases in Spain. Did your experience in those areas help you subsequently in the time prior to your appointment when the treaties were being negotiated?

MOSS: Yes, I think so. I think there were, of course, some fundamental differences and that is that the question of the bases in Spain was a much more narrowly drawn type of treaty and very much more precise and specific and limited in scope. I think, in the case of the Dominican Republic, the eventual extrication depended much more on a multilateral negotiation than in the context of the OAS which the Panama Canal Treaty certainly did

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not represent, except in an interestingly peripheral way when, of course, Torrijos using a kind of ad hoc committee of his friends which included [Venezuelan President] Carlos Andres Perez, [Colombian President Alfonso] Lopez Michelsen, [Jamaican Prime Minister] Michael Manley and, I guess, Daniel Oduber who was President of Costa Rica at the time would periodically get together with them, refer text to them almost for clearance to make sure that they felt that Latin American interests were being properly protected. And, in the case of one article, Article 12 of the treaty having to do with an eventual new sea-level canal, actually took their advice and asked us to change the text on account of the advice of the sort of council that he was taking. That was a little bit of a side play but not like the Dominican Republic where the main scene of the action shifted to working things out within the context of the OAS. I think the closest example probably is the Spanish base example and there are a lot of similarities there, including Status of Forces Agreement rules and all of those things which are exceedingly difficult to work out on a bilateral basis. But, in both of those cases, negotiations kind of went on slowly in the beginning and then got wrapped up very quickly at the end when it became known that the other side was really willing to have things end quickly. There was an interesting parallel there. In the case of the Spanish bases in the Nixon Administration, remember that the Matesa scandal hit Spain.

Q: Perhaps you might explain that for the record.

MOSS: A group of cabinet officers in Spain felt to be affiliated with the Opus Dei religious lay organization were discredited when there was a major financial scandal involving a company called Matesa in which some of these people had an interest. I won't go into all the details of that. It was very complicated. But, basically there was a major cabinet shift in the course of the negotiations and the Foreign Minister [Gregorio] Lopez Bravo was quite fearful for his own position and on the U.S. negotiation side we could see just like a weather front moving in or out a notable change in the Spanish position toward being much more flexible all of a sudden. And it coincided, of course, with that particular scandal and the weakened position of the Foreign Minister so that that brought what

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looked like there were going to be long and painstaking negotiations really to a sudden conclusion in which, frankly, the Spanish government accepted much, much less in terms of economic advantage than we thought would be demanded of us and in which there was no real demand made to give up any of the major assets that the United States had in the Spanish bases. I think that agreement is really the kind of forerunner of what happened last year with the evacuation of our air wing from Torrejon [Air Force Base]. Those kind of positions were then never seriously pressed by the Spanish after they decided all of a sudden for their own internal political reasons that they suddenly wanted the treaty. I think similar developments came about in Panama that Torrijos made up his mind at a certain point, well I want this thing and I need it politically, and I think he thinks the Carter Administration needs it politically because the honeymoon period for Presidents goes and Torrijos was becoming quite convinced himself of the level of senatorial interest and ire which was being kicked up by the treaty issue. So, I think he decided, let's get this thing over with and there was, in fact, toward the end of the treaty negotiations a rapid change of position on the economic issues on the Panamanian side from rather an over-inflated demand on what Panama should get as economic benefits from the Canal down to something very reasonable and, in fact, based really authentically on what the traffic could bear. So, I think that the quick draw into conclusion of a bilateral treaty had something to do with it. In Panama it was interesting, too, to observe that the Panamanian political process under their constitution called for a plebiscite to be held in any issue involving the Canal. Now that plebiscite was held the next month after the Canal Treaty was signed. In other words, they really rushed it to plebiscite. And, according to the opposition who have written books about the subject, more people voted in favor of the Canal issue than actually are on the registered voter roles of Panama. But, I think Torrijos was genuinely worried about the popularity of the treaties in his own country and had reason to do so because the opposition was giving great grief about it. That's one thing I have to say in parenthesis, it's never been properly understood in this country and I don't think it's understood to this day, that the people in this country generally reckon, well, if we gave the Canal back to Panama, maybe we had to do it and maybe it was the right thing to

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do but basically we got a bad deal. That's I think the prevailing attitude in this country today. The prevailing attitude in Panama is the mirror opposite of that. It was the best we could have gotten from the gringos. It's a bad treaty for Panama but it was the best we could have gotten and at least we got something, but they treated us like a great power. They treated us like a great power always treats a smaller power, they kicked us around. Why? First of all because they didn't get it right away, they had to wait until the end of the century and the Canal would basically remain under U.S. control. Second of all because they were disappointed in the economic benefits. The opposition charged also that they legitimized the U.S. military bases and the military presence for the first time. That that was illegitimate under the 1903 Treaties and that had always been the legal position of Panama and the Christian Democrat charged, moreover, you gave the United States base rights for 20 years for free. Look around the world in the Philippines, South Korea, Spain, non-NATO countries, they usually get five years at a time and they pay about a \$1 billion for it. You gave it for free. They said to Torrijos, "you signed a quick cheap deal giving the gringos great advantages to keep yourself in power." Then the economic argument was "you also sold away the rights of Panamanian workers, because the Panama Canal wage rate will no longer be hooked to the US minimum wage scale." And, gazing into their economic crystal ball, came up with a figure that "this will cost Panamanian workers \$4 billion over the lifetime of the treaty. You should have held out as long as the U.S. runs the canal that they have to be paid at least the U.S. minimum wage." Which is not in the treaty, of course. That was a concession the Panamanians made. So for all those reasons the Panamanians felt that they got a bad deal. Internal opposition to the treaties was growing and, therefore, he wanted it signed quickly. That's just a judgement of mine. But, the proof of that is no sooner signed that he rushed the thing to plebiscite as soon as it was physically possible to do so.

Q: Tell me, do you think that a sea-level canal is something that we should look at as a possibility?

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MOSS: Absolutely not. Too expensive. It would cost maybe \$30-\$40 billion and basically the United States doesn't need it. Now if anybody wanted a sea-level canal it would be the Japanese because they are the ones that own the big ships that would go through it. But, certainly the United States would not need it and certainly not at that price. In fact, if the Canal were closed today, it really wouldn't make much of a difference in the U.S. commercial traffic. It probably would be no noticeable difference in the U.S. consumer prices for one thing because the Canal is just one more element in the international transportation network and is certainly not essential to U.S. traffic. Containerized traffic can travel about as cheaply across the country and onward as it can by being shipped through the Panama Canal. The Panama Canal is mainly competitive in bulk cargo transportation. Not oil anymore because there is the pipeline across Panama but in ores, coal, that kind of thing, grains.

Q: And cruises.

MOSS: And cruises.

Q: Is there anything that you'd like to bring up in connection with your stewardship at the American Embassy that I have not elicited?

MOSS: You want to know a little bit more about the character of Torrijos?

Q: Yes, I would like that because he is a very colorful person.

MOSS: I want to talk about one other very interesting incident which gets into the relationship with Carter. Actually two incidents. When the Shah came to Panama, in December 1979, basically the United States was in a terribly difficult position. Because, having let the Shah into the United States, which of course was the proximate cause of the overrunning of the Embassy in Tehran, the United States was then very hard pressed to get the Shah out of the United States. Mexico refused to take him back in again and I learned from Arnie Raphel, our former Ambassador who died in the tragic air crash in

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Pakistan (he was then Secretary Vance's personal assistant), that, in fact, one by one all of our NATO allies turned us down and then so did the neutral countries of Europe, Austria, Switzerland, Scandinavian countries. There was nowhere we could send him. But, basically when Torrijos was asked he accepted right away. There was no sales job that needed to be done. I think for two reasons. First of all because it was put to him, and this was partly from my advice, as a personal political favor by President Carter himself. This was not a government-to-government thing. This was man-to-man. And, Torrijos would have been very hard put not to respond to that because of the way he really loved President Carter. And, second of all for a more self-interested reason, Torrijos absolutely loved to play on as big a stage as he could get on to. It propelled him immediately onto the world stage where he genuinely wanted to be the hero who would liberate the gringo hostages. Because he personally considered the gringos probably too "diplomáticamente torpes" ["diplomatically clumsy"] to liberate their own hostages. So, he sent Romulo Escobar and various envoys to meet with intermediaries in Geneva and might have even gone to Tehran at one point. But he was working the circuits as hard as he possibly can and eventually, oddly enough, came up with the intermediaries that were helpful to the U.S. in the ultimate liberation of the hostages. Villalon the Argentine and Christian Bourget the Frenchman. These were Torrijos' intermediaries with whom his diplomats were trading at first. Now that whole scene, of course, drove people like Brzezinski into near apoplexy because he was equally sure that Torrijos would be snookered by the Ayatollah into giving up the Shah before the hostages were released and thereby they would get the Shah back and it would both be our fault and would look absolutely terrible. And, I had to constantly reassure Washington that Torrijos was smarter than that and that would not happen. But Torrijos really enjoyed that kind of role. And, in fact, was genuinely helpful even though that was not always perceived in Washington. The other thing where he was potentially helpful, but not really allowed to be was in an assessment of how the world was going in Nicaragua. He kept going on and on from January on basically he was beating on one theme, the Somoza regime is decomposing much faster than anybody realizes, including Somoza and more particularly than the Sandinistas. And, if only the United States would

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be helpful now in persuading this guy to leave, we can all help to put together a center-center-left type of government in which the hardcore Sandinistas will have the smallest piece of the action and they'll accept it because they don't know how well they're doing. And from that small piece of the action they can either be kept in check, or if they get too obstreperous, crowd it out in the fashion, let's say, of the Portuguese communist party after their revolution and then everything will be alright in Central America again. Now that theme, needless to say, was not at all picked up by the United States, because it was very, very late in the game before the United States ever met or talked to a Sandinista. And, into the month of July of 1979 itself, the very month of the downfall, I can tell you exactly when, the 2nd of July, when the United States Government finally decided to cut a deal with the then provisional junta when everything was coming apart. Now earlier, and my memory isn't too good on this point but it's recorded someplace, I think in Bob Pastor's book on Nicaragua, Torrijos, because he very much wanted to make a secret trip to Washington to meet personally with Carter, we performed a kind of miracle in that Torrijos got in and out of Washington and in and out of the White House without the press ever finding out about it.

Q: It was 3 o'clock in the morning or something wasn't it?

MOSS: No, no, it was in broad daylight.

Q: In daylight?

MOSS: Sure. Absolutely open. We went right into the White House, right into the Cabinet Room. Marcel Salamin was there, various Torrijos advisors and Carter came up and he and Torrijos went in and talked alone and they came out again and we all went off and had lunch somewhere. And, that was it. He went home. But, the trouble is that they really didn't communicate because I think at the instance of his own intelligence reports and quite possibly NSC staff, President Carter was simply telling Torrijos, look, it would be helpful if all you guys quit running guns because then maybe some kind of peaceful solution will

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work itself out and we really think that Somoza can hold out for rather a long time. Torrijos was telling Carter, look the guy's almost finished. Do something now before it's too late. But they were like two ships passing in the night—just didn't communicate. Nonetheless, Torrijos came away from the meeting, realized that nothing had been accomplished but he talked to me about it in a good-humored fashion. He had expected actually to be chewed up by Carter in I think a much more pungent and direct way because of gun running and he told me afterwards, using sort of a schoolmaster analogy, “did you see what happened?” “He brought me into his office, and then he sat me down and he treated me very nicely as if I hadn't done anything.” So the principal didn't chew him out but at the same time didn't allow him to be helpful and I think Torrijos, if listened to, really could have been helpful because he knew what was going on.

Q: That's too bad. I have heard that Torrijos engaged in some rather personal public relations in trying to win over certain key Americans to the treaty, including John Wayne and [Hamilton] Ham Jordan and other people like that with some parties and other favors.

MOSS: I didn't actually see any of that and I must say to give Torrijos credit that all the times he asked me to come over in the middle of the night either to meet some political character or to listen to a tape or other things, he never tried to ply me with women or money or anything. I guess he didn't need to, he figured I was on his side anyway and I didn't need to be run over.

Q: I won't ask you what you would have done.

MOSS: Well, I'm not sure but the question never came up. But he did, by the time I came on the scene and the treaties, he already had enlisted the support of John Wayne who went strongly around the conservative community trying to get support for the treaties. John Wayne knew Panama very well and loved Panama actually. That was not hard to do. But I think that Torrijos did win people over. I tell you he had a very deft way of handling senators, including senators that came down trying to be unhelpful. Between the period of

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signature and ratification of the treaties, close to half the Senate came through Panama and Torrijos often would meet with them, talk with them, talk them around in helicopter tours. Do all sorts of things. It drove the security men absolutely crazy because Torrijos' style of doing things was to say, okay, there's going to be an airplane at such and such a place and the whole visiting party is going to get in and we're going to go on a little tour. Where are we going to go? He wouldn't tell them. The reason is Torrijos wouldn't know himself at that point. They'd take off in the air and they called them Torrijos' magical mystery tours and we wouldn't know where we were going until we sat down in some town where there was a fiesta going on. Torrijos would take them into town and he would often do things that way. But, I remember once out at his house at Farallon certain senators were really trying to prevent Torrijos and they asked him sort of indecent questions like whether his brother Moises had been on drugs or had been running drugs. And he said, "senator", he had a great technique of answering these things, he would answer with composure and with good humor, but not being a toti and taking the questions directly and feeling that he had to defend himself or justify himself. He said, "Senator I don't ask all the members of my family what they do and I'm quite sure you don't ask all the members of your family what they all do", and that was the end of that question. And, then another senator had asked him a question for which if the question had been asked in some other context like Buenos Aires or something the senator, if he were lucky, would be bundled into the nearest plane, he said, "General, are you a communist?" And with that Torrijos said, "Senator, I have never in my life declared that I am not a communist and I will never do so." "And for that matter, I don't plan to have to declare that I'm not a homosexual or 'hijo de puta' ['son of a bitch']." "Next question." And so he took these things with dignity. Almost treating them as if they were silly questions asked by country bumpkins. Took them with great humor. Actually he told me something else very interesting about dealing with the senators. He told me that when everything was over in May of 1978, I went down with my wife just for a holiday in Panama and we had dinner with Torrijos and he was talking about it, and he said look, I knew that really for the first time in your history as far as I know, these debates in the Senate were being broadcast live from the floor of the Senate

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and you know we were getting them down here in direct translation. So, all of Panama was listening. And, of course, what was happening in the Senate is that the senators knew that too so certain anti-treaty senators, like the late Senator Allen of Alabama for instance, said deliberately provocative things to try to make Torrijos blow his cool, look like an idiot, and thereby discredit Panama and, by implication, the treaties. They'd say, that tinhorn dictator, that commie-loving friend of Fidel Castro and on and on like that and Torrijos told me he'd be marching around his terrace at Farallon with a transistor radio stuck in his ear listening to this stuff. And he said, your know Ambler in the old days they used to cut off the head of the messenger that brings the bad news. Today that messenger is named Sony. And he said, I can't tell you how many radios I smash to the ground when I hear these guys giving this debate and a sergeant had a case of them in the back room and he'd bring me out another one and I'd turn it on and stick it up to my ear and keep marching around listening to this stuff, but they never blew their cool. I think it's impressive, basically, how many insults that Panama took as a country and Torrijos took as a leader from the floor of the U.S. Senate without blowing their cool because they knew it was a deliberate act of provocation and they weren't going to take the bait. Extraordinary example of self-composure and patience.

Q: Well, you mentioned these trips by airplane by Torrijos. He took one too many.

MOSS: He took one too many. People ask me do I think it was an assassination. My short answer to that is he didn't need an assassin because his flying habits were so crazy that it's just a miracle it didn't happen sooner. Actually it's a miracle it didn't happen to me because I was with him on a couple of occasions flying by the same mountain he eventually crashed into which was a notorious bad weather place in Panama. I can remember once flying in that same airplane, or a similar type that he eventually met his death in, it's a twin engine Otter a Canadian plane, very, very good. We ran into a storm, plane was bouncing hundreds of feet up and down in the air, couldn't see a thing, blinding rain, the compass was useless spinning around with all the electricity, lighting bolts coming all around us, radar screen useless, bright green. And, we bounced around like this for

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about a half an hour until we came out of the storm somewhere over the Pacific Ocean and the pilots looking around sort of where the hell are we and Torrijos sort of sitting back not really worrying much about anything at all. The plane was trying to get to a place called Cofrecito which was a little bowl of a valley in among some hills over on the Caribbean side of Panama. And, I can remember once going into Cofrecito, Torrijos had sent a plane to pick me up because we were going to have a meeting and talk politics. The pilot took me up there and said he had no idea where he was going. He was using a highway map to find it. We landed on this little dirt strip and I went up to Torrijos' house [Foreign Minister] Jorge Illueca, [Ambassador to Washington] Gabriel Lewis, various cronies sitting around on the porch, drinking talking, drinking, talking. Night fell. Torrijos still in his hammock and about 9 o'clock at night swore, looked at his watch, remembered he had an appointment or something and said we've got to get back to the capital. I thought, how the hell are we going to do that? Because this was a little dirt strip, unlighted. Well, there's a way to do it and what you do is you put the plane at one end of the strip and you put a truck at the other end of the strip and you turn the truck's headlights on and you fly the plane at the truck and before hitting the truck climb very steeply because there are unlighted hills back of the truck and that was his normal way of doing things. So ask me if he needed an assassin. No. There are plenty of motives that can be ascribed to various people who might have wanted to assassinate Torrijos. The most interesting one that I find is the Sandinistas. And, in fact, Eden Pastora (Comandante Cero) who had not yet broken with the Sandinistas, but was close to the point, was in Panama at the time. He was in the apartment of Hugo Spadafora and Punta Patilla, with whom he was friendly. They were collaborating in various different plots, I thinking talking over when Pastora should break with the Sandinistas, when they heard of Torrijos death they put on their pistols and ran out to Farallon, because they felt maybe this was sort of a night of the long knives when Sandinista henchmen were assassinating various people in Panama, because Torrijos, in fact, had already started to move against the Sandinistas. He was disenchanted of them as there was a couple of years after the Sandinistas takeover he was mightily disenchanted with the Sandinistas and he really was, in his own way, beginning to take

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steps to work against them. So that was their initial reaction was that the Sandinistas had done it. Other people think that maybe Noriega had done it, but that theory is hard to put any store in because Noriega did not immediately become head of the defense forces. There were two other people ahead of him and he only basically took his time and rose to be the head of the defense forces by process of natural evolution, more or less.

Q: Spadafora was assassinated rather cruelly?

MOSS: Spadafora was assassinated rather cruelly. He, by the time he was assassinated, this was in September of 1985, was really an arch opponent of Noriega. Was working out of Costa Rica and was writing diatribes in "La Nacion" of San Jose and other publications about Noriega implication in the drug trade and lots of other things. So, the motive there is very clear. Spadafora and Pastora had had a falling out by that time as well. Remember there was an attempt on Pastora's life. Some of Pastora's people thought that Spadafora had been involved in that, but that's never been proven. But that relationship had also become complicated by then.

Q: Romulo Escobar has another theory about that accident.

MOSS: Oh? What does he think?

Q: He thinks that we did it.

MOSS: Ah. No, I don't think that Romulo thinks that. Moises Torrijos, the brother of Torrijos, thinks that and says that. Whether he thinks that or not one doesn't know but it's useful for him to say so and that's the official line of the ultra left. I've never heard Romulo say that but certainly that's, well, it's in a way following the Moscow line because I can remember in a FBIS [Foreign Broadcast Information Report] Report on a story in Pravda on the day of the assassination. The story came out that various sources ascribed this to the CIA.

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Q: The accident you mean, not the assassination.

MOSS: Of the accident. Of the accident in which Torrijos died. So I think the local communists simply picked up a Pravda line which was simply manufactured the same day and took it and ran with it. Basically, I've never seen any evidence at all that it was anything but an accident. And, I talked to the deHavilland Aircraft Company representative, a marvelous old Englishman living in Panama who I think even though he was in his late 60s or early 70s took a gunny sack and went right out with the troops into the place where the crash had occurred. Which they didn't allow everybody to go into and he picked up bits of wreckage and surveyed it and walked all over the place. I think, as I recall, a couple of the instruments of the plane were intact and we sent them up to the National Bureau of Standards here for checking in Washington and nothing was ever found and the deHavilland man told me he thought it was an accident and sort of reconstructed how he thought it had happened. It was about 50 feet from the top of the mountain and it looked like the one wing of the plane tipped on a rock or a tree or something, the plane then turned toward the mountain and crashed right into it and exploded. But, certainly the motives are there for possible assassins but nothing proven.

Q: Well, I think I would like to wrap this up, with your consent, with your telling us what has happened since you left your Ambassadorship, to you.

MOSS: To me. Well, as I say, coming up on four years in service I decided to make my own plans before somebody made them for me. So, I came up to Miami one day (if I can remember when it was), it was in May of 1982 and basically accomplished three things in four days. First of all, convinced my wife that Miami would be a nice place to live. We liked Latin America and didn't want to get that far away from it. Second of all, put a contract on a house and third made an arrangement with a law firm. I came here actually to practice law and then went calmly back to Panama, wrote out my resignation letter saying that I was willing to stay on until the end of July because I had to actually take the Florida Bar Exam. I'm a lawyer in the D.C. Bar but Florida doesn't recognize reciprocity of anybody because

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they don't want outsiders coming in taking up their practice. So, with the examination schedules and all of this I figured I should stay on until the end of July. The response from the Department was "couldn't you stay longer." My response back was 'no, sorry, can't but I honestly believe that in about three months you can probably find somebody else.' Actually, it took them until October before they sent [Everett] Ted Briggs down which I was very pleased with because a career officer, I thought was a very good appointment. Wouldn't want an ideologue down there to sort of disturb things.

Q: There almost was one.

MOSS: There almost was one, yes. That got turned around through the helpful intervention, actually, of Republican senators more than anybody else. So, I then just calmly went back, made my plans and conducted a very orderly exit. And, actually the week I left was an interesting event because the Panamanian National Guard decided that it was not pleased with President Royo, displaced him in favor of Ricardo de la Espriella. So, my last reporting cable was my interview with the new President who had just taken office a few days before after his predecessor was kicked out. Then, of course, summarily and within about one year, de la Espriella was kicked out. This is the sad series of cycling of Panamanian presidents which goes right down to the present time.

Q: And then you came...

MOSS: I came to Miami then. Went into the firm of Greenberg, Trowerig, Askew, the former governor of Florida, Rubin Askew former U.S. Trade representative who is my point of contact with that firm, began teaching part-time at the University of Miami and about a year later the President of the University of Miami started putting what became unbearable pressure on me to be the founding Dean of a new graduate school of international study and, although I resisted that for some months because I hadn't really come to Miami to do that, the temptation was too great to be actively in an academic way to be involved in

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foreign affairs and actually get paid for it, which is not true of law practice. So, I gave into that temptation and have been here ever since.

Q: Thank you very much for your kindness in hearing me and my questions and making this a very interesting contribution to this project.

MOSS: Don, it's a great pleasure to see you again to be able to help out with it.

End of interview